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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF
AMERICA,

Plaintiff/Respondent,

v.

ROY ALLEN GREEN,

Defendant/Petitioner.

Case No. 1:00-cr-5339

STIPULATION AND
~~PROPOSED~~ ORDER TO
EXTEND TIME TO FILE
TRAVERSE

Movant Roy Green, by and through counsel Krista Hart, and the United States, by and through counsel Assistant U.S. Attorney Dawrence W. Rice, Jr., hereby stipulate and agree that movant's traverse, currently due on October 18, 2016, be due on November 17, 2016.

Mr. Green is a federal prisoner proceeding with counsel on a motion

pursuant to 28 U.S.C. § 2255. Mr. Green, Reg. No. 03327-063, is serving the 687-month sentence imposed in this case at the Florence ADMAX USP, in Colorado. He has an expected release date of February 25, 2062.¹

Mr. Green filed the § 2255 motion on June 23, 2016. (ECF No. 18.) The Court issued an order setting a briefing schedule on July 6, 2016. (ECF No. 19.) The government timely filed its Opposition on August 19, 2016. (ECF No. 20.) Pursuant to the briefing schedule, Mr. Green's Traverse is now due on October 18, 2016.

Counsel for Mr. Green needs additional time to review the government's Opposition, to communicate with Mr. Green and to research and prepare the Traverse. As noted above, Mr. Green is serving a lengthy prison sentence, based on the charges of conviction in this case and the consecutive 150-month sentence out of Pennsylvania, Mr. Green will serve a lengthy sentence even if this motion were to be granted. Thus, Mr. Green will not suffer any prejudice or extended time in prison if this

¹ Mr. Green is also serving a 150-month federal sentence out of the Middle District of Pennsylvania. *United States v. Green*, 4:01-CR-0397-MM. On June 14, 2016, Mr. Green, represented by the Federal Public Defender there, filed a motion pursuant to 28 U.S.C. § 2255 challenging his prior convictions and status as a career offender pursuant to *Johnson v. United States*.

extension is granted.

The parties stipulate and agree that Mr. Green's Traverse may be due on November 17, 2016.

DATED: October 14, 2016

PHILLIP A. TALBERT
Acting United States Attorney

/s/ Dawrence W. Rice, Jr.
Assistant United States Attorney

DATED: October 14, 2016

/s/ Krista Hart
Counsel for Roy Green

ORDER

Good cause appearing, movant's Traverse shall be filed on or before November 17, 2016.

IT IS SO ORDERED.

Dated: October 14, 2016

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE